

subject to revision at the hands of the peace commission that followed.

#### NOTE WITH MODIFICATIONS

An official statement for press publication, setting out the provisions of the peace protocol, was read and approved at the cabinet session today. It was prepared by Secretary Day, the purpose being to make it public immediately after the required signatures had been affixed to the protocol. It does not give the text of the document, but details its main points and provisions. The protocol, in general, is a ratification of the terms of the note given to Spain, with very little difference in the language of those terms, though with a considerable number of supplementary paragraphs of an administrative nature.

The most substantial difference is in regard to the evacuation of the captured territory. The note, as handed to Ambassador Cambon, called for immediate evacuation of Cuba and Porto Rico, while the protocol leaves the time of evacuation to be subsequently determined upon, the design being to leave the matter of withdrawal left to be fixed by a joint military commission of the United States and Spain. The portion of the protocol supplementary to what is embodied in the note relates principally to the execution of the provisions of the protocol.

Many details are to be agreed upon which are not even referred to in the protocol. Such of these as relate to purely military and naval subjects will be referred to a military commission.

#### SPAIN FEARS OLD SOLDIERS

This commission may encounter some difficulty in making a disposition of the Spanish soldiers in Cuba and Porto Rico and the military and naval prisoners now in the United States. The Spanish government is showing a remarkable unwillingness to provide for the return of these soldiers and sailors to Spain. This has gone so far as to lay the Spanish government open to the charge of indifference to the fate of the men who fought for her cause. European advisers received from private sources throw some light upon this, saying that the Spanish government is apprehensive that the returning warriors will join the Carlists and break out in open rebellion against the present dynasty. It is probable the military commission will be clothed with adequate power to deal with this question in the interest of the United States.

#### CENSORSHIP RESTORED

Restrictions which necessarily were placed by the government during the war upon communication by cable will be removed practically entirely tomorrow. Directions were sent this evening to the censors at Key West and at New York to be as lenient as possible in the handling of messages, pending the receipt of definite instructions. Orders which will probably go out tomorrow will remove to all intents and purposes the censorship over cable communications, except such as are intended for Cuba and Porto Rico. Over the cables to these islands the censorship will be maintained, though it will be modified materially. It is intended also to remove the restrictions which were placed upon the sending of cipher messages to Jamaica and Hayti.

#### HOW SPAIN TAKES DEFEAT

Madrid, Aug. 12.—Midnight.—The protocol will be published simultaneously in the official gazettes here and in Washington. The papers discuss the situation quietly, and great relief is felt in government and court circles that President McKinley has not demanded a convocation of the cortes to approve the peace preliminaries. The cortes will now not be summoned until autumn, by which time it is expected that the agitation of the extremists will have cooled down and the country have become more inclined to accept accomplished facts.

The commission to meet in the West Indies will be composed, it is understood, of military officers, and it is believed here that this commission will pave the way for commercial trade and for a recognition by the United States or Cuba of a portion of the Cuban debt.

The suggestion that Senator Morat, minister of the colonies, may preside over the Paris commission is not very popular. Various names are mentioned in connection with the commission's personnel but nothing has yet been settled as to this.

Senator Sagasta has assured the queen regent that the Cortes will not further trouble and the Carlists themselves are expected to recognize that the country is not in the temper that would support a Carlist rising. They are speculating on the return of the disarmed and repatriated army, hoping for mischief there.

The government has decided to with-

draw its prohibition of wheat export from and after next Monday.

London, Aug. 12.—The Madrid correspondence of the Times, confirming the earlier statement that the text of the protocol was only received Thursday evening, says:

"Some difficulty arose in the cabinet council over the competency of M. Cambon to sign the protocol. As it is quite certain that the cortes will ratify the treaty, President McKinley acted wisely in not giving undue prominence to this question."

"There is no conceivable doubt that Senator Sagasta will get the requisite sanction for concluding peace. Whether he is to do so in one or two installments is a question of parliamentary strategy. A member of the cabinet assures me that it has not yet been decided."

#### SPAIN NOT TO BE FOOLED

Madrid, Aug. 12.—10:30 a. m.—The question of the acceptance of the protocol having been finally settled and its signature explicitly and definitely authorized, the government is now considering the domestic situation for the best means of carrying out the evacuation and propagating the idea that Spain's surrender is not so complete as indicated by the bald terms of the protocol. As the first step in this direction, a semi-official note has been issued. It is as follows:

"The government is of opinion that the most critical period of the peace negotiations has now arrived, as it depends upon the arrangement of details as to whether the peace will be more or less advantageous. Spain wishes to preserve her sovereignty over the whole of the Philippines, to which she proposes to accord all political and administrative reforms consistent with the maintenance of her sovereignty."

"In regard to the evacuation of Cuba and Porto Rico, it will be asked that the army be allowed to depart honorably and that assurances be given guaranteeing that Spanish residents and Spanish interests will not suffer. The army, which has not yet been completely evacuated, will return to Spain with its arms and munitions."

"In regard to the Cuban debt, as the United States refuses to assume it Spain will endeavor to arrange with the Cuban treasury to pay it when the island is able."

"The question of a treaty of commerce between the United States and Spain, the matter will be submitted to a commission of diplomats, under the presidency of Senator Sagasta."

The liberal thinks the only bright feature of the peace treaty is the immediate suspension of hostilities, "so that our unhappy soldiers will no longer have to die without knowing where they are going. Continuing the liberal congratulates the country upon the fact that the war is ended, though Spanish rule in America is completely terminated. We reserve the right to criticize the protocol when freedom is restored to the press."

In conclusion, the liberal says: "These events of the last two days were simply accidents which do not affect Spanish history are deceiving themselves."

#### JOHN BULL CONGRATULATES

London, Aug. 12.—The morning papers are unanimous in expressing gratification that the war is ended. The comment mainly turns on the fact that the protocol leaves untouched the hardest problems now facing America.

The Times believes it will be a real peace, adding:

"We trust it is no violation of neutrality to express the satisfaction of the great majority of Englishmen in America's success, and we venture the prediction that Cuba, twenty years hence, will be a prosperous and tranquil land."

#### PEACE COMMISSION CHOSEN

Washington, Aug. 12.—The representatives of this government on the Paris peace commission practically have been agreed upon by the president and his advisers, but it is announced that the names will not be made public perhaps for several days.

The members that Secretary of State Day will be at the head of the commission for the United States. When he enters upon his duties as peace commissioner will resign his seat in the cabinet. It has been understood that he is desired to relinquish his cabinet position.

The protocol signed today provides that the commission shall meet in Paris not later than October 1. The expectation is that the representatives of this country will not be for France not later than September 15, and probably in much better shape than at that time. It is probable that the com-

mission will encounter very serious difficulties in reaching an agreement. The probabilities are that the treaty will not be ready for submission to the senate before the regular session of congress, which will begin on the first Monday of December.

Nothing definite has been done here about the constitution of the commission which is to meet in Havana and San Juan to arrange for the evacuation by the Spanish forces of the islands of Cuba and Porto Rico. Adjutant General Corbin, whose name has been mentioned in connection with the head of the commission, said tonight that he would not be a member of it. The representatives of the United States will be three in number, and in all probability will be officers of the army and navy.

The protocol provides for two commissions: First, the peace commission which will meet in Paris, and second, the military commission which will meet in Havana province within fifteen days. The military commission will be created immediately on the signing of the protocol. Its duties will be of great importance. It will settle the details of the evacuation of the Spanish armies from the West Indies and will decide all questions relating to the removal of submarine mines, the immediate relinquishment of the United States of the great fortresses at Havana, San Juan and other points, and the transfer of possession of Manila city itself.

Senator Platt of New York called on President McKinley today and asked for the appointment of several officers to the staff of New York, ex-secretary of the navy, as a member of the peace commission.

"I don't live—just exist!" Poor man. Take Hood's Sarsaparilla and be well.

#### ADMIRAL KIRKLAND DEAD

##### After Nearly Twenty-Four Years in Naval Service.

Vallejo, Cal., Aug. 12.—Rear Admiral Kirkland, U. S. N., died at 7 o'clock this evening. He expired peacefully, his wife and son being in the death chamber at the time. Dr. Hibberts of the United States steamship Independence, and Dr. Wagner, navy yard physician, were also present. Father Reginald of St. Vincent's church, was with the admiral three hours before he breathed his last.

The admiral had rallied from the effects of an operation for acute constriction of the bowels which was performed on Tuesday by Dr. W. E. Taylor, of San Francisco, assisted by several other surgeons, and last night it was stated that he had a fighting chance for his life. This morning he seemed somewhat better and during the day his family and friends were hopeful that he might be spared. At 5 o'clock p. m. he began to sink and as the darkness came on grew gradually weaker, until two hours later he ceased to breathe, dying without evidence of pain.

The funeral will take place from St. Vincent's Catholic church of Vallejo on Sunday. The remains were embalmed and will be placed temporarily in the vault of St. Vincent's church. Later they will be removed to Brooklyn, N. Y., for interment beside the remains of his daughter who is buried there.

The sentiment at the navy yard is that work should be suspended on Sunday as a token of respect to the dead admiral.

Rear Admiral W. A. Kirkland was appointed from Norfolk, Virginia, July 2, 1899, and made a midshipman, Jan. 29, 1895. He was promoted to lieutenant March 15, 1897; lieutenant commander March 15, 1901; commander March 15, 1905; captain April 1, 1910; commodore July 17, 1913, and rear admiral March 1, 1915. He would have been placed on the retired list on the second of last month.

He served at sea for eight months as rear admiral; total service 23 years and 3 months; shore or other duty, 15 years, 10 months. At the time of his death he was commander of the Mare Island navy yard. He was well known on the Pacific coast and was popular among both naval officers and civilians.

#### WHEELER STANDS BY SHAFTER

Couldn't Have Been on the Fighting Line at Santiago

Nashville, Tenn., Aug. 12.—Postmaster A. W. Willis received a letter from General Joe Wheeler today, dated Santiago de Cuba, July 27, in which General Wheeler says, referring to newspaper reports concerning General Shafter:

"I think it is a very serious mistake. Shafter was very unjust. He has a hard task and has performed it successfully and well. He is a man of more than ordinary brain power and administrative ability. The criticism that he did not place himself on the firing line is ridiculous, as on July 1 he was carrying on two fights at the same time—one at Caney and one at San Juan. He had more reserves and had to place himself where he would see both the Spanish and the American affairs, which he did efficiently."

"With very high regards, very truly your friend, JOSEPH WHEELER."

#### PROMOTIONS IN THE NAVY

Washington, Aug. 12.—Some unknown reason the administration decided not to adhere to its formerly expressed announcement that the promotions in the navy would be made on the recommendations by a board whose duty it should be to review the achievements of naval officers throughout the Spanish war, today the navy department made public the following promotions in the North Atlantic fleet, previous publications having been inaccurate in some particulars.

These are all interim commissions and will not be confirmed or rejected until the senate convenes in September. In the interim, the promotions are of great importance and conspicuous conduct in battle.

Commodore William T. Sampson, advanced eight numbers and appointed a rear admiral from August 12, 1898, for eminent and conspicuous conduct in battle; takes rank next after Rear Admiral John A. Howell.

Commodore Winfield S. Schley, advanced six numbers and appointed a rear admiral from same date and for same reasons; takes rank next after Rear Admiral William T. Sampson.

Captain Francis J. Higginson, advanced three numbers; takes rank next after Captain Bartlett J. Cromwell.

Captain Robley D. Evans, advanced five numbers; takes rank next after Captain Charles S. Coffey.

Captain Henry Taylor, advanced five numbers; takes rank next after Captain John J. Read.

Captain Francis A. Cool, advanced five numbers; takes rank next after Captain Yates Sterling.

Captain Charles E. Clark, advanced six numbers; takes rank next after Captain W. C. Wise.

Captain French E. Chadwick, advanced five numbers; takes rank next after Captain Charles D. Sturges.

Lieutenant Commander Raymond P. Rodgers, advanced five numbers; takes rank next after Lieutenant Commander Charles C. Cornwell.

Lieutenant Commander John D. Park, advanced five numbers; takes rank next after Lieutenant Commander Benjamin J. Buckingham.

Lieutenant Commander Newton E. Mason, advanced five numbers; takes rank next after Lieutenant Commander Benjamin J. Buckingham.

Lieutenant Commander Sharp, Jr., advanced five numbers; takes rank next after Lieutenant Commander William G. Cutler.



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is due not only to the originality and simplicity of the combination, but also to the care and skill with which it is manufactured by scientific processes known to the CALIFORNIA FIG SYRUP CO. only, and we wish to impress upon you the importance of purchasing the true and original remedy. As the genuine Syrup of Figs is manufactured by the CALIFORNIA FIG SYRUP CO. only, a knowledge of that fact will assist one in avoiding the worthless imitations manufactured by other parties. The high standing of the CALIFORNIA FIG SYRUP CO. with the medical profession, and the satisfaction which the genuine Syrup of Figs has given to millions of families, makes the name of the Company a guaranty of the excellence of its remedy. It is an advance of all other laxatives, as it acts on the kidneys, liver and bowels without irritating or weakening them, and it does not gripe nor nauseate. In order to get its beneficial effects, please remember the name of the Company—

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LOUISVILLE, KY. NEW YORK, N. Y.

Lieutenant Commander Heaton Schroeder, advanced five numbers; takes rank next after Lieutenant Commander Duncan R. Kennedy.

Lieutenant Commander Richard Wainwright, advanced ten numbers; takes rank next after Lieutenant Commander James D. J. Kelley.

Lieutenant Commander John A. Rodgers, advanced five numbers; takes rank next after Lieutenant Commander Edwin K. Moore.

Lieutenant Commander James K. Cogswell, advanced five numbers; takes rank next after Lieutenant Commander James Selfridge.

Lieutenant Commander William P. Potter, advanced five numbers; takes rank next after Lieutenant Commander Ebenezer S. Prime.

Lieutenant Commander G. B. Harber, advanced five numbers; takes rank next after Lieutenant Commander Nathan E. Niles.

Lieutenant Commander Newton E. Mason, advanced five numbers; takes rank next after Lieutenant Commander Benjamin J. Buckingham.

Lieutenant Commander Sharp, Jr., advanced five numbers; takes rank next after Lieutenant Commander William G. Cutler.

Lieutenant Harry Bush, advanced five numbers; takes rank next after Lieutenant Commander Robert H. Brown.

Chief Engineer Alexander B. Bates, advanced three numbers; takes rank next after Chief Engineer John D. Park.

Chief Engineer Robert W. Milligan, advanced three numbers; takes rank next after Chief Engineer Alexander B. Bates.

Chief Engineer Charles W. Rae, advanced three numbers; takes rank next after Chief Engineer George W. Baird.

Chief Engineer Warner B. Bailey, advanced three numbers; takes rank next after Chief Engineer George Cowie.

Passed Assistant Engineer George W. McElroy, advanced three numbers, and appointed chief engineer; takes rank next after Chief Engineer Robert I. Reed.

Commander Bowman H. McCulla, advanced six numbers; appointed a captain to restore him to his original place on the navy list; takes rank next after Captain Caspar F. Goodrich.

The following take rank from the same date, but different reasons are assigned for their advancement:

Lieutenant (Junior Grade) Victor Blue, advanced five numbers for extraordinary heroism; takes rank next after Lieutenant (Junior Grade) ord H. Brown.

Lieutenant Colonel Robert W. Huntington, advanced one number and appointed a colonel in the marine corps for eminent and conspicuous conduct in battle.

#### STRICTLY ON DEFENSE

##### England Won't Kick on Franco-Belgian Concessions.

##### BUT IF BRITISH CAPITAL

##### Enters China, England Will See a Square Deal.

London, Aug. 12.—The house of commons met today at 10:29 a. m.

A succession of questions on the subject of China elicited little information. The government leader, Mr. Balfour, declined to pledge the government to support the ratification of the Franco-Belgian-Pekin-Hankow concession, but promised that in the event of British capitalists purchasing railroad concessions obtained by French or Belgian syndicates in the Yang-Tze-Kiang valley, her majesty's government will support and assist them, both in London and Peking, in this and in all other legitimate British commercial enterprises.

The China appropriation bill then passed its third reading and the session was suspended until 3:30 p. m., when parliament was prorogued.

The queen's speech at the prorogation of parliament is as follows:

"My Lords and Gentlemen—My relations with other nations continue friendly. I have witnessed with deepest sorrow the hostilities which have taken place between Spain and the United States, two nations to which my mind is bound by many ties of affection and tradition. Negotiations recently opened give fair ground for hoping that the deplorable conflict will be brought to a termination by the conclusion of an honorable and enduring peace."

"The changes which have taken place in the territorial relations of other powers with the Chinese empire induce me to conclude arrangements whereby the harbor of Wei-Hai-Wei and certain positions adjacent to my colony of Hong Kong were leased to me by the emperor of China. I trust these arrangements will conduce to the maintenance of its independence and the security of its empire and be favorable to the development of the extensive commerce carried on between the peoples of Great Britain and China."

Paragraph three relates to the guarantee, in conjunction with Russia and France, of the loan to enable Greece to pay the Turkish war indemnity.

The fourth paragraph expresses satisfaction in the conclusion of the convention with France finally settling West African questions.

The speech then refers to the arrangements made to establish at an early date penny postage between the United Kingdom, Canada, Newfoundland and elsewhere, makes reference to the pactus soli existing in certain portions of western India and the Punjab, and concludes:

"I am thankful that bountiful harvests have been gathered throughout the greater part of India and that the internal and external trade of the country are rapidly recovering from the depression caused by the famine."

"Gentlemen of the House of Commons, I thank you for the liberal provision you have made for the defense of my empire. The sacrifices asked of you are severe, but no greater than the exigencies of the present time require. I am glad to recognize the value of the provisions to which you have assented, for increasing the strength and efficiency of my army."

"My lords and gentlemen, I have seen this year added to the statute book an important measure assimilating the local institutions of Ireland to those of England and Scotland. I trust this valuable reform will tend to strengthen the bonds which unite the people of Great Britain and Ireland and increase their common action for the fundamental institutions of the realm."

After expressing satisfaction at the adoption of bills enabling accused persons to testify in their own behalf; for preventing the abuse of patronage and the occupation of benefices of the established church, "the principles of which have been generally accepted for many years, though, hitherto, there has been no opportunity to make them law," the speech ends with: "I pray that the blessing of Almighty God may attend you."

#### Grand Circuit Harness Races

Fort Wayne, Aug. 12.—Today's races went to the favorites in every case. The track was fast and the weather fine. Results:

2:14 trot, purse \$1,500—Gratton Boy won in straight heats. Time 2:14, 2:14, 2:14. Ruby, second; Red Sea, third. Carmichael, fourth. R. R. Superstition and Alvas also started.

2:11 pace, purse \$1,500—Miss Logan won in straight heats. Time 2:11, 2:11, 2:11. Charley B., second; Elyot, third. Oddity, fourth. Noota W. Indiana, Evangeline and Heidelberg also started.

2:20 trot, stake \$2,000—Dreemore Kelley won second, third and fourth heats. Time 2:20, 2:20, 2:20. Louise Mac won first heat in 2:17. Impudence was third. Oakley, Malden and Hostler also started.

Dover, Colo., Aug. 12.—Miss Blanche Walsh, leading lady in the stock company now playing at Manhattan Beach, this city, has been engaged to take the place of Miss Fanny Davenport, who is ill, in the presentation of Sardou's plays in this city next season. She will be supported by Melbourne McDowell, Miss Davenport's husband.

#### YELLOW JACK IN LOUISIANA

Adjoining States Take Prompt Measures to Quarantine.

Jackson, Miss., Aug. 12.—An official report having been received that one death has occurred from yellow fever at Franklin, La., Dr. John F. Hunter, secretary of the state board of health, has quarantined the state of Mississippi against the town of Franklin and St. Mary's parish, in which it is situated.

No passenger, freight, baggage or express will be allowed brought within the state from that parish.

Houston, Texas, Aug. 12.—The Southern Pacific has been notified by the state health officials to run no more trains from the east until further orders, on account of yellow fever at Franklin, La.

Mexico City, Aug. 12.—Yellow fever at the border of the state of Mexico has reached the interior of the state of Yucatan and Campeche. The heat is suffocating. The health of the city of Mexico has not been improved since the rains began and it is proposed to adapt the cremation system here on a large scale.

	Played	Won	Lost	Pr. Ct.
Cincinnati	201	65	35	.653
Boston	57	41	16	.629
Cleveland	55	33	22	.600
Baltimore	51	33	18	.588
New York	47	24	23	.511
Chicago	100	52	48	.520
Pittsburgh	94	50	44	.532
Philadelphia	94	44	50	.468
Brooklyn	92	44	48	.478
Louisville	97	35	62	.361
Washington	94	23	71	.245
St. Louis	95	32	63	.337

#### BOSTON, 2: CLEVELAND, 1

Boston, Aug. 12.—The Cleveland were out-played today at every point, and but for a home run in the first inning would probably have been shut out. The Bostonians played with great dash, while the visitors made a number of costly errors. Attendance, 2,500. Score: R H E Boston.....3 0 0 12 0 0 2-5 10 Cleveland.....2 0 0 0 0 0 0-2 7 3

Batteries—Boston, Klobedans and Hergen; Cleveland, Young and O'Connor. Umpires, Snyder and Connolly.

#### CINCINNATI, 4; BROOKLYN, 3

New York, Aug. 12.—Brooklyn began the final series at home with the Cincinnati today, and because they could not hit Brooklyn at the right time, the home team suffered defeat. The work of the home team in the field, too, was very poor. Attendance, 3,000. Score: R H E Cincinnati.....0 0 0 0 0 0 0-2 3 4 Brooklyn.....0 0 0 0 0 0 0-2 3 4

Batteries—Brooklyn, Kennedy and Grim; Cincinnati, Breitenstein and Peitz. Umpires, Lynch and Andrews.

#### NEW YORK, 4; CHICAGO, 3

New York, Aug. 12.—Louise leading behind Callahan was responsible for the downfall of the Chicago. Ruess was hit hard, but in no inning were the hits bunched. Ruth was put out of the game for growing at decisions. Score: R H E New York.....1 0 0 2 0 0 0 1-4 5 3 Chicago.....1 0 0 0 0 0 1 0-2 12 5

Batteries—New York, Ruess and Warner; Chicago, Callahan and Danahue. Umpires, Emslie and Hunt. Attendance, 2,000.

#### PHILADELPHIA, 5; ST. LOUIS, 2

Philadelphia, Aug. 12.—Philadelphia defeated St. Louis today by timely hitting. Platt and Taylor pitched good ball. Attendance, 1,100. Score: R H E St. Louis.....0 0 0 2 0 0 0 0-2 5 6 Philadelphia.....5 0 0 0 4 1 0 0-9 6 2

Batteries—St. Louis, Taylor and Suggs; Philadelphia, Platt and McFarland. Umpires, Swartwood and Warner.

#### GAME POSTPONED

Baltimore, Aug. 12.—Baltimore-Pittsburgh; no game; rain.

#### THE ST. LOUIS MUDDLE

St. Louis, Mo., Aug. 12.—The baseball muddle took another turn today when Wm. A. Kinner filed a motion to set aside the receivership and restore the club to Chris Von Der Ahe, trustee, until the second day of court. A day or two ago the Mississippi Valley Trust company asked for a receiver on the grounds that \$30,000 worth of bonds were in default in both principal and interest and that the bondholders wanted their money.

Now Mr. Kinner, who enters in as a creditor, asks that Mr. Muckenfuse be removed and the order appointing him be vacated.

At Kansas City— R H E Kansas City.....1 0 0 0 0 0 1 0-2 6 2 Minneapolis.....0 0 0 7 3 0 0 0 0-9 9 2

Batteries—Pardue, Eagan and Wilson; McNeely and Dixon.

#### AT MILWAUKEE— R H E

St. Joseph.....0 0 1 0 0 0 1 0-2 6 2 St. Paul.....0 0 0 0 0 0 0 0-9 9 2

Batteries—Cooper and McCauley; Denzer and Spies.

At Milwaukee— R H E Milwaukee.....0 2 0 0 0 0 0 0-2 6 1 Indianapolis.....0 0 0 0 0 0 0 0-4 2

Batteries—Taylor and Speer; Scott and Lynch.

At Columbus—First game— R H E Columbus.....5 4 5 0 2 0 1 5-15 14 2 Detroit.....1 2 0 0 0 0 0 0-3 10 5

Batteries—Brown, Jones and Buckley; Hahn and Wilson.

Second game— R H E Columbus.....2 0 0 0 0 1 1 12 4 2 Detroit.....0 0 1 0 4 0 4 8 2

Batteries—Fried, Wolters and Buckley; Beam and Buslow.

#### ADDITIONAL CITY NEWS

##### CITY IN BRIEF